

## **APPENDIX A**

## FAX

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**Date •** February 4, 2009

**Pages •** 6, inc. coversheet

**Transmit To •** Examiner William Rankins

**Company/Firm •** United States Patent and Trademark Office  
Art Unit 3696

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**Client ID/Matter No. •** 0806995.00156

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**COMMENTS:** Application Serial No.: 10/806,835  
Art Unit: 3696

Dear Examiner Rankins,

Attached please find our Interview Request Form in connection with our interview scheduled for today at 2:00 p.m. EST regarding the above-identified application. Thank you.

Dan Miller, Reg. No. 52,030

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When you are sending to us, please be sure to include a cover sheet with your transmittal and a telephone number where you can be contacted in case of equipment malfunction.

**Transmitted by:**

**Time:**

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## Applicant Initiated Interview Request Form

Application No.: 10/806,835 First Named Applicant: Barany  
Examiner: William E. Rankins Art Unit: 3696 Status of Application: NF OA pending

**Tentative Participants:**

(1) Examiner Rankins (2) Daniel Miller  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 2/4/2009 Proposed Time: 2:00 AM/PM

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Sec. 101 Rej.</u>	<u>1, 3-7, 9, 10, 30, 31</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

**Brief Description of Argument to be Presented:**

Discuss Section 101 rejections and proposed claim amendments.

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/s/

Applicant/Applicant's Representative Signature

Daniel R. Miller

Typed/Printed Name of Applicant or Representative

52,030

Registration Number, if applicable

Examiner/SPE Signature

1. (Currently Amended) A method of issuing inflation-linked securities, comprising:

determining, using a computer, a correlation between inflation and a likelihood that a private issuer of fixed income securities will default on the fixed income securities, wherein the computer comprises a processor and a memory;

purchasing, by a trust, fixed income securities issued by a ~~the~~ private issuer, wherein the fixed income securities have a first maturity date;

entering into, by the trust, an inflation swap agreement with a swap counterparty, wherein the inflation swap agreement obligates the trust to make periodic fixed payments to the swap counterparty in exchange for periodic floating payments from the swap counterparty dependent upon an inflation index; and

issuing, by the trust, inflation-linked securities to investors, wherein the inflation-linked securities comprise a principal amount and an interest rate, and wherein at least one of the principal amount and the interest rate are related to the inflation index, wherein the inflation-linked securities have a second maturity date that matches the first maturity date of the fixed income securities, and wherein the inflation-linked securities are backed by the fixed income securities of the private issuer so that the investors can own inflation-linked securities backed by fixed income securities of the private issuer, without the private issuer having to issue the inflation-linked securities.

2. (Canceled)

3. (Previously Presented) The method of claim 1, wherein the trust is a limited liability company.

4. (Previously Presented) The method of claim 1, wherein the trust is a special purpose vehicle.

5. (Previously Presented) The method of claim 1, wherein the fixed income securities purchased by the trust were previously issued by the issuer as part of a single, previous offering by the issuer.

6. (Previously Presented) The method of claim 1, wherein the fixed income securities purchased by the trust are directly purchased from the issuer by the trust.

7. (Previously Presented) The method of claim 1, wherein the end of the term of the inflation swap agreement corresponds to the first maturity date of the fixed income securities.

8. (Canceled)

9. (Previously Presented) The method of claim 1, wherein an interest rate on the inflation-linked securities issued by the trust is related to the rate on the floating payments paid by the swap counterparty to the trust pursuant to the inflation swap agreement.

10. (Previously Presented) The method of claim 1, wherein an interest rate on the periodic fixed payments paid to the swap counterparty by the trust pursuant to the inflation swap agreement is related to the coupon rate on the fixed-income securities purchased by the trust.

11-29. (Canceled)

30. (Currently Amended) A method comprising, underwriting an offering of debt securities by a trust, wherein the debt securities have a first maturity date, and wherein each of the debt securities comprises:

a principal amount; and

a interest rate, wherein at least one of the principal amount and the interest rate are related to an inflation index, wherein the security is offered by the trust, and wherein the trust:

purchased fixed income securities issued by a private issuer, wherein the fixed income securities have a second maturity date that matches the first security maturity date; and

entered into an inflation swap agreement with a swap counterparty, wherein the inflation swap agreement obligates the trust to make periodic fixed payments to the swap counterparty in exchange for periodic floating payments from the swap counterparty dependent upon an inflation index, wherein each of the debt securities are backed by the fixed income securities of the private issuer so that the

investors can own inflation-linked securities backed by fixed income securities of the private issuer, without the private issuer having to issue the inflation-linked securities.

31. (Previously Presented) The method of claim 30, wherein the fixed income securities purchased by the trust were previously issued by the issuer as part of a single, previous offering by the issuer.

32. (Previously Presented) The method of claim 30, wherein the fixed income securities purchased by the trust are directly purchased from the issuer by the trust.

33. (Previously Presented) The method of claim 30, wherein the end of the term of the inflation swap agreement corresponds to the second maturity date of the fixed income securities purchased by the trust.

34. (Previously Presented) The method of claim 1, further comprising modeling, using a computer-based modeling system, a correlation between inflation and a likelihood that the private issuer defaults on the fixed income securities.